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Progress report of the Secretary-General on the Sudan pursuant to paragraph 7 of Security Council resolution 1547 (2004)

I. Introduction

1. The present report is submitted pursuant to paragraph 7 of Security Council resolution 1547 (2004) of 11 June 2004, in which the Council requested me to keep it informed of developments in the Sudan, particularly on the peace process led by the Intergovernmental Authority on Development (IGAD), the implementation of the peace process and the execution by the advance mission of its mandate. The mission is making preparations for the international monitoring foreseen in the Framework Agreement on Security Arrangements during the Interim Period, signed of 25 September 2003 in Naivasha, Kenya (see S/2003/934, annex), to facilitate contacts with the parties concerned and to prepare for the introduction of a peace support operation following the signing of a comprehensive peace agreement. The Council also requested me to take the necessary preparatory steps, including pre-positioning the most critical logistical and personnel requirements, to facilitate the rapid deployment of a future peace support operation as well as to prepare for the role of the United Nations during the transitional period in the Sudan.

2. Subsequent to its adoption of resolution 1547 (2004), the Security Council, on 30 July, adopted resolution 1556 (2004), in which it extended the mandate of the mission for an additional 90 days, until 10 December 2004, and requested me to assist the African Union with planning and assessment for its mission to Darfur and to incorporate contingency planning for the Darfur region into the mission. Accordingly, the United Nations has begun to assist the African Union and has begun preparations to support the implementation of a future agreement in Darfur, in close cooperation with the African Union. These additional requirements have made it necessary to broaden the scope of the activities of the operation beyond that described in my report of 3 June 2004 (S/2004/453).

II. Establishment of the United Nations advance mission in the Sudan

3. In accordance with Security Council resolution 1547 (2004), the United Nations has proceeded with the establishment of a special political mission, the United Nations advance mission in the Sudan. The Organization has been able to

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respond relatively rapidly owing to the fact that previous preparatory work had been carried out on the basis of the request contained in the statement by the President of the Security Council dated 10 October 2003 (S/PRST/2003/16). The Mission has consequently established its headquarters in Khartoum, where it is presently functioning in temporary premises, as well as a liaison office in Nairobi.

4. Soon after the adoption of resolution 1547 (2004), I requested Jan Pronk of the Netherlands to become a Special Representative to the Sudan. He subsequently accompanied me on a tour of the region in June and July, which included visits to Khartoum and Darfur, as well as to Chad, Eritrea, the African Union summit in Addis Ababa, and Kenya. In Khartoum and Nairobi, my Special Representative met with representatives of the Government of the Sudan and the Sudanese People's Liberation Movement /Army (SPLM/A), as well as the chief mediator and the IGAD secretariat. Following later briefings in New York, which included consultations with the Security Council on 21 July, my Special Representative took up his appointment in the Sudan on 1 August. To support my Special Representative in carrying out his tasks, I have appointed two Deputy Special Representatives, Tayé-Brook Zerihoun (Ethiopia) and Manuel Aranda da Silva (Mozambique), who were both deployed during the month of August. In order to ensure a joint unified strategy among the United Nations components, agencies and programmes, Mr. Aranda da Silva was appointed to the dual role of Resident Coordinator/ Humanitarian Coordinator. In addition, I have appointed the mission's Chief Military Adviser, Major General Fazle Elahi Akbar (Bangladesh), who was deployed in early September 2004, as well as the chief civilian police adviser, Superintendent Glenn Gilbertson (United Kingdom of Great Britain and Northern Ireland), who will be deployed shortly. In preparing for a possible future peace support operation in the Sudan, it is extremely useful that the senior leadership team be able to work together at this early stage. In addition to planning a future mission, they are well placed to participate in the IGAD-led peace process, as required, and to build upon high-level contacts with the parties. This team is supported by 94 international staff, including military liaison and political and civil affairs staff, public information officers and experts in logistics and administration, as well as in other requisite areas of expertise, as explained in my report on the Sudan dated 3 June 2004 (S/2004/453) and endorsed by the Security Council in its resolution 1547 (2004).

5. On 5 August 2004, the Government signed an agreement on the status of the mission and its personnel with the United Nations, the comprehensive provisions of which extend to United Nations offices, funds and programmes in the Sudan that are carrying out functions in relation to the mission. In his meeting with me on 7 September 2004, the Chairman of SPLM/A pledged to commit to the terms of the agreement and I look forward to a swift exchange of letters on this matter.

6. Following his deployment to Khartoum on 1 August 2004, my Special Representative met with Government officials in Khartoum and conducted visits to southern Sudan, Kenya and the Arab League summit in Cairo. Lack of progress at the IGAD-led peace process, as well as the recent events in Darfur, have made it necessary for my Special Representative to focus primarily on Darfur. However, he has at every opportunity urged the parties to catalyse the negotiations and return swiftly to the negotiating table.

7. In my report of 3 June 2004, I attempted to describe to the Council the nature of the challenge that awaited the deployment and smooth functioning of a United Nations peace support operation in the Sudan. I said that it would not be possible to facilitate implementation of the comprehensive peace agreement without a joint, integrated strategy among the components, agencies and programmes of the United Nations. Since their appointment, my Special Representative and his two deputies have been working on plans to ensure that the United Nations presence in the Sudan is a truly unified structure, that the special political mission and the country team are integrated as well as possible and that roles and functions of the two structures complement each other and avoid duplication. One aim is to establish shortly a common headquarters, which would permit the United Nations team in the Sudan to come together under one roof, thereby improving the effectiveness and efficiency of the service provided to the Sudanese people through a unified "common premises, common services" approach. In the same vein, in early August, my Special Representative visited the United Nations logistics base in Lokichokio, Kenya, which has served as the hub for the system-wide humanitarian effort in southern Sudan since 1989, to make a first-hand assessment of what adjustments might be needed in the existing structures in order to make a smooth and timely transition from humanitarian emergency to peace support and development.

8. In the meantime, the Interdepartmental Task Force on the Sudan, established late last year in New York, continues to meet to ensure that the common strategy is replicated at United Nations Headquarters. It is recognized that the work of the future United Nations peace support operation, if it is to be effective, must act in a synchronized and coordinated manner, in harmony with development efforts. It will be critical to the success of the work of the United Nations in the Sudan that all components of the system — political, military, security, humanitarian, human rights, development and economic — conform to one unified vision of the mandate and the same set of objectives. The same will be required of the international community's response.

III. Preparations for the establishment of a United Nations peace support operation

9. As requested by the Security Council in paragraph 4 of its resolution 1547 (2004), the mission is also conducting logistical planning for the possible establishment of a peace support operation if the Government and SPLM/A should sign a comprehensive peace agreement. To this end, the mission support element has focused its attention on developing its knowledge of the operational realities in the Sudan and establishing working relationships with the parties. The mission has also been refining contingency plans for the establishment of sub-offices in the areas to be monitored, preparing for the deployment of military and civilian observers as well as forces to protect the operation and providing effective forward support so that the mission would be ready to deploy in a timely manner following the conclusion of a peace agreement. Those activities have included the following:

(a) Developing practical measures and establishing effective liaison mechanisms for implementing the agreement concluded with the Government on 5 August 2004 on the status of the mission and its personnel, in particular concerning customs and immigration, taxation, aviation, telecommunications,

transportation and energy. Those activities have led to cooperation in many areas, which should promote rapid establishment and effective operation should the Security Council mandate a peace support operation. The mission looks forward to full engagement with the SPLM/A following an exchange of letters concerning the agreement on the status of the mission;

(b) Carrying out a reconnaissance of port facilities, storage and logistics bases and common premises for future living and working accommodations, as well as surface routes in the expected operational areas between existing ports of entry and proposed forward reception and staging areas. Such preparatory work will help to facilitate the movement of military observers and accompanying protection elements from their home countries to the Sudan and ensure that working and living premises are ready for use so as to achieve required deployment targets.

IV. Effect of the situation in Darfur on mission planning

10. In extending the mandate of the advance mission, the Security Council, in its resolution 1556 (2004), requested that contingency planning for the Darfur region be incorporated into the mission. In the same resolution, the council specifically requested me to assist the African Union with planning and assessments for its mission in Darfur and to prepare to support the implementation of a future agreement in Darfur in close cooperation with the African Union. By requesting such assistance, the Council expanded the mandate by adding a new operational and political dimension, necessitating a full review of operational planning and the submission of a new budget to cover the additional resources required to perform the new tasks.

11. The delay in the IGAD-led peace process (see paras. 14-19 below) allowed the temporary reallocation of some resources from the preparatory work of the mission to the new tasks related to Darfur. However, in view of the announcement that the IGAD-led peace process will resume in early October, it is crucial that the mission be ready to assist when the talks resume and be in a position to deploy an operation in a timely manner following a final breakthrough and the long-awaited signing of a comprehensive peace agreement.

12. In the light of Security Council resolution 1556 (2004) and the joint communiqué signed by the United Nations and the Government of the Sudan on 3 July 2004 (S/2004/635, annex), the review of operational planning and related requirements has identified the following additional tasks:

(a) Supporting regular meetings and verification missions of the Joint Implementation Mechanism created in accordance with the joint communiqué as well as other Darfur-related activities that my Special Representative and other senior officials may be responsible for carrying out;

(b) Supporting United Nations participation with observer status in the African Union-led peace process in its efforts to resolve the Darfur crisis;

(c) Setting up and supporting at the headquarters of the African Union a small cell to assist the Union to deploy and support an expanded operation in Darfur;

(d) Setting up four small field offices in Darfur with political, civil, military, police, humanitarian and logistical support and liaison functions, which would systematically engage with local authorities, establish regular contacts in rebel-controlled territories, liaise with the African Union and assist it in view of its expanded presence, liaise with international human rights monitors and ensure a unified approach with partners in the humanitarian community;

(e) Setting up a small field office in Kassala to engage in civil and military liaison functions with the local actors on the ground in the east of the Sudan; early United Nations engagement is considered vital in this region, which is beset by tension and periodic conflict, as well as the presence of SPLM/A forces, which, according to the Naivasha Agreement on Security Arrangements, will redeploy to the south in the first year following a comprehensive peace agreement;

(f) Enhancing the ability of the advance mission's headquarters to support the new tasks and the new offices in Darfur at both the substantive and support levels.

13. Not only will additional civilian staff be required to perform many of these tasks, there will also be a need for a small number of military liaison officers to carry out liaison functions with the expanded African Union mission. In my report of 3 June, I requested a mandate for 25 military liaison officers and military support elements, as well as 8 police personnel. The expanded United Nations tasks required according to Security Council resolution 1556 (2004) would require an additional six military officers and six police officers to provide the extra liaison functions, including the cell in Addis Ababa to assist the Africa Union.

V. Peace process led by the Intergovernmental Authority on Development

14. The signing by the parties of the Nairobi Declaration on 5 June 2004 raised hopes that the IGAD-led peace process had become irreversible and would be swiftly accomplished. The Government and SPLM/A recommitted themselves to their obligations contained in the six protocols agreed to since the relaunching of the IGAD peace process in Machakos, Kenya, in June 2002. They also made a solemn commitment to complete the final stages of peace negotiations as expeditiously as possible and appealed to the international community to support them during the implementation period. The presence of President Mwai Kibaki and other international dignitaries, including my Special Adviser for Africa, Mohamed Sahnoun, underscored the support and commitment of the international community and, it was hoped, gave the parties sufficient encouragement to complete the process without delay.

15. However, the progress that was heralded in early June was unfortunately not in evidence during the past few months. Late in that month, IGAD resumed talks in Naivasha with the first round of implementation modality negotiations, focusing on detailed ceasefire and security arrangements. That round was preceded by a three-day workshop in Nairobi, organized by the IGAD mediators in close cooperation with the United Nations and other international partners. At the talks, considerable progress was made on the technical, humanitarian and legal aspects of the ceasefire and security arrangements, as well as the disarmament, demobilization and

reintegration of former combatants. However, the parties reached a deadlock on a number of issues, primary among them the financing of SPLA military forces in the south and the deployment of joint military units in the east which required political decision-making at a principal level. Given the stalemate, IGAD adjourned the talks on 28 July.

16. Following the adjournment, the Government of Kenya, which leads the IGAD mediation effort, consulted with regional and other actors and held meetings with the Chairman of SPLM/A. The mediators also visited Khartoum and met with senior government officials, including President Omar Al-Bashir and Vice-President Ali Osman Taha. They also met with my Special Representative. The consultations led the mediators to conclude that sufficient political will needed to be generated by the parties to lead the process out of the emerging deadlock, and that time would become an ever-more important factor in ensuring that the peace process was not stalled.

17. My Special Representative held talks in August with both parties aiming to catalyse the IGAD-led peace process. His discussions showed that the difficulties experienced in the peace talks could be overcome if both parties were to engage in an open and immediate exchange on the outstanding issues at the senior level. While urging the Government to work towards a successful conclusion of the peace process as a vehicle to help resolve the Darfur crisis, he encouraged the SPLM/A leadership to remain fully engaged on the immediate resumption of the IGAD peace talks.

18. In my regular contacts with the two leaders, I expressed concern at the delay in the IGAD-led peace process and urged them to do all they could to ensure that the talks restarted quickly at a technical level and also, critically, at a political level to catalyse the remaining concerns in the final rounds of negotiations. I also emphasized that the parties risked further complications in the peace process if by further delays they would allow a resumption of talks to be contingent on the resolution of other crisis situations in the Sudan. I am pleased that the parties have now taken the decision to resume the negotiations on 7 October 2004, starting with talks between the principals, Vice-President Taha and SPLM/A Chairman John Garang.

19. To achieve an implementable peace agreement, it is critical that the parties invite the international observers who have accompanied the IGAD peace process since its inception to be fully engaged in the future rounds of the peace negotiations. While acknowledging that the peace process has Sudanese ownership and that the parties will have the primary responsibility for ensuring that the implementation period is successful, the international community's role will be critical to future peace, stability and development in the Sudan. In my report of 3 June, I noted that the international community needed to recognize the immensity of the challenge in the Sudan and to respond accordingly. So, too, a sustainable, implementable agreement must be one that international partners are prepared to support. Without appropriate engagement at the final rounds of talks, the United Nations will not be in a position to carry out roles and functions on which it has not been consulted. I am grateful that the parties have provided assurances that the international observers will be fully involved in future proceedings of the IGAD-led peace process.

VI. Humanitarian situation and activities of the United Nations country team

20. The humanitarian challenge in the Sudan remains enormous as the crisis continues in Darfur and other parts of the country remain beset by ethnic tensions, chronic instability and conflict, as well as acute food insecurity. All United Nations humanitarian operations in the country remain sharply under-resourced. As needs continued to grow, the United Nations released a revised consolidated appeals process document on 25 August, prioritizing resources needed for the most critical humanitarian interventions in the Sudan. As at 7 September, only 53 per cent of the resources needed for the Darfur crisis ($280 million of a required amount of $532 million) had been received. In the programmes serving the rest of the Sudan, nearly 55 per cent of the funds requested for the most urgent needs of the United Nations in the southern and eastern regions ($112 million of a required amount of $204 million) had been received. In my report that is due to be submitted to the Security Council at the end of September I will focus on the Darfur situation. Accordingly, this section of the present report will concentrate on the other parts of the Sudan.

21. The number of vulnerable people in the south requiring immediate humanitarian assistance in the food, health, water and sanitation and other sectors under the Operation Lifeline Sudan umbrella hovers around 3 million people. This number is increasing as tens of thousands of internally displaced persons living in the north are now spontaneously returning to areas in the south in expectation of a comprehensive peace agreement, which is adding further pressure to an already suffering population.

22. The signing of the protocols in Naivasha in the summer had raised expectations in the south and other war-affected areas for a total end to hostilities and increased assistance for recovery and reintegration needs. However, the delay in the peace negotiations, the international focus on Darfur and increased localized conflict and insecurity in many areas have hampered the capacity to meet the needs of the south.

23. While general humanitarian access has continued to improve, government restrictions in southern Blue Nile continue to limit the capacity for humanitarian action. Hostilities linked to oilfield development and militia realignment in and around western Upper Nile, hostile actions by the Ugandan Lord's Resistance Army and intra-ethnic conflict in some areas of Equatoria and in the Shilluk Kingdom earlier this year have led to new displacement and suffering and additional access restrictions. The humanitarian situation in all these areas continues to be dire, and further support is required for both humanitarian and emerging recovery and reintegration needs.

24. The current food security situation in southern Sudan is markedly deteriorating and calls for an agency review and the updating of contingency plans to address likely needs in the medium term. Reduced crop performance is likely to increase food insecurity for local households over the following months, a situation made worse by families returning to the region after prolonged displacement. Lack of rain and lack of access to markets due to continuing insecurity has led to hunger in some parts of the Upper Nile region.

25. Internally displaced persons returning to their home areas are putting a strain on the humanitarian situation in the Sudan. Some 100,000 of them have reportedly

returned from the north to southern Sudan so far in 2004. Although the flow was slowed by the onset of the rainy season, it is expected that there will be a substantial wave of spontaneous returnees in the latter months of 2004 as the rainy season ends, and especially if the IGAD-led peace process appears to be headed towards a conclusion. Returning internally displaced persons have reported harassment, including forced taxation and sexual abuse, while trying to cross from the north to the south. Armed groups, including some backed by the Government of the Sudan and SPLM/A forces, were reported to have been involved in such incidents.

26. As at 7 September, less than 20 per cent of funds needed for returnee and reintegration operations had been received. A recent joint agency assessment team recommended improvements in returnee registration and tracking and scaling up of the provision of basic services targeting returnees, internally displaced persons and host communities equitably. An emergency health working group on returns has elaborated a health plan for which no funding has been received to date, severely hampering implementation.

27. Outside of the immediate war-affected areas, more than 500,000 people in eastern and western Kordofan, Red Sea State and Kassala live in areas with food shortages and are receiving school feeding and food-for-work assistance. Nearly 100,000 Eritrean refugees living in the eastern states of Kassala, Gedaref, Sinnar and Gezira also continue to receive aid.

28. The United Nations country team has started planning and executing an increase in its activities in the Sudan in anticipation of a comprehensive peace agreement, including in mine action; police training; governance; the rule of law; disarmament, demobilization and reintegration; education; reproductive health; the environment and natural resources management; agriculture; and HIV/AIDS. The signing of a comprehensive peace agreement is expected to significantly accelerate such efforts, and some of those activities will directly benefit from the deployment of the United Nations peace support operation.

VII. Joint assessment mission of the United Nations and the World Bank

29. With the expectation that the Government and SPLM/A will reach a comprehensive peace agreement in the near future, the rapid initiation of rehabilitation and transitional recovery in the Sudan will be critical to sustain and consolidate peace. In this context, and in preparation for an international financing conference to be held in Oslo, shortly after the signature of such an agreement, the World Bank and the United Nations Development Programme (on behalf of the United Nations system) are co-leading a joint assessment mission for the Sudan, working in partnership with the Sudanese parties and the IGAD Partners Forum to provide an assessment of rehabilitation, transitional recovery and developmental needs until 2010. The Core Coordination Group, which oversees the joint assessment mission, agreed in July to proceed with the completion of the joint mission independently from the peace process and it has since been agreed to complete the bulk of the assessment by the end of November. The joint assessment mission report itself will be completed only after a comprehensive peace agreement has been signed, as it is dependent on certain clarifications regarding the jurisdiction of the government of national unity and the government of southern Sudan.

Recovery and rehabilitation development programmes will be implemented only once a comprehensive peace agreement has been signed.

VIII. Concluding observations

30. The special political mission mandated in Security Council resolution 1547 (2004) has been in place for three months. Several factors have contributed to the relatively speedy initial deployment of the advance mission. First, early Council authority to initiate preparatory work, which enabled the Secretariat to carry out a preliminary technical mission and to deploy a small advance team of experts, aided mission assessment and engagement with the Government of the Sudan and SPLM/A interlocutors well before the adoption of the mandate. Second, the strategic deployment stocks based in Brindisi, Italy, although severely depleted as a result of several simultaneous operational demands, have been an invaluable tool for generating quick capability in the Sudan, especially in the areas of communications and information technology. At present, the advance mission is at 70 per cent of its authorized strength, including national and international staff and the military component, and is operating effectively. The third factor in assisting rapid deployment has been the timely agreement by the Government of the Sudan on the status of the mission and its personnel, in accordance with the recommendation of the General Assembly in paragraph 7 of its resolution 52/12 B of 19 December 1997 and paragraph 2 of Security Council resolution 1547 (2004). I am looking forward to an expeditious exchange of letters with SPLM/A on the terms of the agreement, which would assist the advance mission in moving forward with its plans to deploy in the south.

31. While work is well under way to establish a future peace support operation to help facilitate the implementation of a comprehensive peace agreement between the Government and SPLM/A, the mission's focus has expanded considerably since the adoption of Security Council resolution 1556 (2004). The extent of the mission's operations in Khartoum, southern and eastern Sudan, Darfur, Addis Ababa and Nairobi will be considerable. As I stated in my report of 3 June, a future peace support mission will face enormous challenges. The logistical challenges alone are considerable, and there are expected to be numerous political challenges throughout the implementation period.

32. The humanitarian situation remains dire and United Nations operations remain perilously underfunded. The international community must respond to this shortfall and do its utmost to mitigate the appalling circumstances in which so many Sudanese find themselves. I urge the international community once again to address the funding gap without further delay.

33. The United Nations and the international community at large will continue to support and assist the parties in their endeavours towards peace. I once again thank the IGAD mediators, the Troika countries (Norway, the United Kingdom and the United States) and the IGAD Partners Forum for the critical role they are playing to keep the process moving forward despite the recent frustrating delay. I would also like to thank my Special Representative and all United Nations and other international personnel in the Sudan for their efforts in this regard.

34. The decision of the Government and SPLM/A to resume negotiations in the context of the IGAD-led peace process restores much of the optimism that has been

dissipating in recent months. While it is unfortunate that months have gone by without progress in these talks, I am heartened by the parties' recent positive attitude towards concluding the negotiations as soon as possible. Having come so far together in their quest for peace, the parties are standing on the threshold of an agreement. They must work together now to agree to mutually acceptable implementation modalities for the pre-interim and interim periods that would follow a comprehensive peace agreement.

35. The IGAD-led peace process is central to comprehensive peace in the Sudan. No other peace process has come so far or has addressed the fundamental roots of the conflict in southern Sudan. While the process does not offer a comprehensive solution to the country's problems, the breadth of the agreements reached in the protocols offer a basis for answers to the wider issues of insecurity and conflict. The current crisis in Darfur is emblematic of that problem. The rebel groups in Darfur are only two of an array of peoples and groups that have complained of systematic marginalization over the course of recent Sudanese history. There will be a need to include the peoples of all areas of the Sudan if the search for peace is to be sustainable.

36. However, the peace process now requires an irreversible momentum, a defining agreement that will signal a break with the past, a change of course in Sudanese history. A comprehensive peace agreement resulting from the IGAD-led peace process would herald that new era and would, I believe, signal to other marginalized peoples and groups in the Sudan that there is an alternative to violence, that negotiation can succeed and that peace is attainable through political compromise. While the meeting between Vice-President Taha and SPLM/A Chairman Garang, which is to begin on 7 October, will provide a catalyst to proceed with the IGAD-led peace process, so too can such an agreement be a catalyst to addressing the Darfur crisis and the wider problems of economic and political marginalization that adversely affect so many in the Sudan. The parties must not allow this process to stall further or derail, as it represents the best chance to achieve a peaceful solution to a long and deadly conflict that has ravaged the country and claimed so many innocent lives. I urge the parties to seize the opportunity that is before them and use it to ensure that a comprehensive and lasting peace can take hold throughout the Sudan.